



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8027

UNITED STATES OF AMERICA,

Plaintiff,

v.

Marco Antonio MANDUJANO-
Maldonado,

Defendant.

Mag. Case No.

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326
Deported Alien Found In the
United States

The undersigned complainant being duly sworn states:

On or about January 17, 2008, within the Southern District of California, defendant Marco Antonio MANDUJANO-Maldonado, an alien, who previously had been excluded, deported or removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Michael Mikuski
Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 18th DAY OF
JANUARY 2008.

PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Marco Antonio MANDUJANO-Maldonado

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5 STATEMENT OF FACTS

6 The complainant states that this complaint is based upon the statements of the
7 apprehending Border Patrol Agent, P. Murillo, that Marco Antonio MANDUJANO-Maldonado
8 was found and arrested on January 17, 2008, east of Calexico, California.

9 January 17, 2008, at approximately 9:00 A.M. Agent Murillo was working approximately
10 12 miles east of the Calexico, California, Port of Entry. Agent Murillo encountered a group of
11 ten individuals north of the international boundary with Mexico. Agent Murillo identified
12 himself to the group and questioned them as to their country of citizenship and their right to be in
13 the United States. The group, including one individual later identified as Marco Antonio
14 MANDUJANO-Maldonado, stated they are natives and citizens of Mexico illegally in the United
15 States. Agent Murillo arrested and transported MANDUJANO and the other nine illegal alien to
16 the Calexico Border Patrol Station for further processing.

17 Records check disclosed MANDUJANO was previously deported to Mexico on October
18 28, 2005, by an Immigration Judge. A further records check of MANDUJANO revealed he has
19 an extensive criminal and Immigration history.

20 There is no evidence that MANDUJANO has sought or received permission from the
21 Attorney General of the United States or the Secretary of the Department of Homeland Security
22 to re-enter the United States after being deported.
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